

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on July 7, 2009.

Mayor David W. Cline presided and called the meeting to order at 6:30 p.m.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Tim Gover, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Mayor David Cline.

Also physically present were City personnel: Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Police Chief David Griffith, Fire Chief Mike Chism, Assistant Fire Chief Andy Adair, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting June 16, joint Council meeting June 23, special meeting June 24, special meeting June 30, 2009; Police department report for the month of May, 2009; Fire department report for the month of June, 2009; payroll and bills for the last half of June, 2009.

Bills and payroll for the last half of June, 2009

General Fund

Payroll		\$ 268,082.26
Bills		<u>\$ 220,118.80</u>
	Total	\$ 488,201.06

Hotel Tax Fund

Payroll		\$ 1,894.08
Bills		<u>\$ 959.64</u>
	Total	\$ 6,187.64

Festival Management

Bills		<u>\$ 36,674.39</u>
	Total	\$ 36,674.39

**Insurance & Tort
Judgment**

Bills		<u>\$ 9,637.94</u>
	Total	\$ 9,637.94

Capital Project

Bills		<u>\$ 184,432.28</u>
	Total	\$ 184,432.28

Water Fund

Payroll		\$ 32,047.89
Bills		<u>\$ 136,747.16</u>
	Total	\$ 168,795.05

Sewer Fund

Payroll		\$ 31,577.65
Bills		<u>\$ 124,126.40</u>
	Total	\$ 155,704.05

Cemetery Fund

Payroll		\$ 5,194.01
Bills		<u>\$ 186.36</u>
	Total	\$ 5,380.37

Health Insurance

Bills		<u>\$ 82,410.75</u>
	Total	\$ 82,410.75

Motor Fuel Fund

Bills		\$ 5,098.90
	Total	\$ 5,098.90

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline outlined a forthcoming proclamation regarding Census 2010 Complete Count Committee and called for support of the various subcommittees.

Mayor Cline presented a retirement plaque to Raymond Senteney in recognition of his years of service with the City from 1955 – 2009. Commissioner Ervin presented Steve Camden and Dale Hurst retirement plaques in recognition of their years of service, 1982-2009 and 1979-2009 respectively.

Mayor Cline opened the floor for public discussion on non-agenda issues with no public discussion following.

Mayor Cline opened the floor for Council and public discussion on agenda items. Mayor Cline reviewed each agenda item with Council and Department Heads elaborating on the items and commentary from the public.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2009-981, approving the Fire Department promotions as Driver/Engineer Sean Junge to Captain and Firefighter Ron Spurgeon to Driver/Engineer, effective July 8, 2009, due to the promotion of Anthony Nichols to Fire Chief.

Mayor Cline called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to approve Council Decision Request 2009-982, approving the Police Department promotion of Lt. Raymond Hall, Jr. to the rank of Captain, effective July 8, 2009.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Rankin moved to approve Council Decision Request 2009-983, approving the Police Department promotion of Sgt. Jon Seiler to the rank of Lieutenant, effective July 8, 2009.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to approve Council Decision Request 2009-984, approving the Police Department promotion of Officer Morris B. Sparr to the rank of Sergeant, effective July 8, 2009.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Special Ordinance 2009-1345, granting a special use for the selling of manufactured mobile homes located on individual lots of Old State Village, presently zoned R3.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2009-1345

AN ORDINANCE GRANTING A SPECIAL USE FOR THE SELLING OF MANUFACTURED MOBILE HOMES
LOCATED ON INDIVIDUAL LOTS OF OLD STATE VILLAGE IN AN R3, MULTIPLE FAMILY DISTRICT.

WHEREAS, Richard Manion as manager of the following described property:

Commencing at the Northwest corner of Section 25, Township 12 North, Range 7 East of the 3rd P.M.; thence South 0 degrees, 17 minutes, 17 seconds West 3349.2 feet; thence North 89 degrees, 15 minutes, 28 seconds East 903.5 feet to the place of beginning; thence North 89 degrees, 15 minutes, 28 seconds East 854.67 feet then North 0 degrees, 17 minutes, 17 seconds East 1,791.099 feet to the South right-of-way line of Old State Road; thence South 68 degrees, 52 minutes, 21 seconds West 307.92 feet along Old State Road South right-of-way line; thence South 0 degrees, 17 minutes, 17 seconds West 459.34 feet; thence South 68 degrees, 52 minutes, 21 seconds West 610 feet; thence South 0 degrees, 17 minutes, 17 seconds West 1011.96 feet to the place of beginning, situated in Coles County, Illinois.

Commonly known as 1501 Old State Road, Mattoon.

has filed a petition with the City Clerk's Office of the City of Mattoon, requesting that said premises to be granted a special use for the lawful right to sell manufactured mobile homes, located on individual lots of said premises in accordance with the State of Illinois; and

WHEREAS, said premises is zoned R3, Multiple Family District which does not allow the sales of manufactured mobile homes; and

WHEREAS, the mobile home park owns homes inside the park and from time to time will sell a home; and

WHEREAS, both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested special use permit be granted; and

WHEREAS, the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve a special use permit for the selling of manufactured mobile homes, located on individual lots of Old State Village.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted a special use permit for lawful right to sell mobile homes, located on individual lots.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor Cline, seconded by Commissioner Ervin, adopted this 7th day of July, 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
 Commissioner Hall, Commissioner Rankin,
 Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 7th day of July, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 8, 2009.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Hall moved to approve Council Decision Request 2009-985, approving two separate plans and bid documents, and authorizing the solicitation of competitive bids for the sidewalk removal and replacement along 10th Street and 14th Street.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Gover moved to adopt Resolution 2009-2782, accepting the street and infrastructure improvements and future maintenance of such improvements in Lake Land Development Phase I. Petitioner: Reggie Phillips

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2009-2782

A RESOLUTION ACCEPTING STREET AND INFRASTRUCTURE IMPROVEMENTS IN LAKE LAND DEVELOPMENT – PHASE I

WHEREAS, Unique Homes and Lumber has platted, designed and constructed Lake Land Development – Phase I; and,

WHEREAS, the City has inspected the development and verified it meets our minimum standards for subdivision development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The City of Mattoon hereby agrees to accept the streets, storm sewer, watermain, and sanitary sewer improvements in Lake Land Development – Phase I located in Section 2, Township 11 North, Range 7 East of the Third Principal Median, of said subdivision consisting of approximately 0.30 miles of streets and roads.

Section 2. The City of Mattoon will maintain the streets, including snow removal, surface drainage, storm sewer, watermain, and sanitary sewer as it exists at the time of acceptance and as constructed according to approved plans and specifications.

Upon motion by Commissioner Ervin, seconded by Commissioner Gover, adopted this 7th day of July, 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
Commissioner Hall, Mayor Cline

NAYS (Names): None

ABSENT (Names): Commissioner Rankin

Approved this 7th day of July, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 8th, 2009.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, Abstain Commissioner Rankin, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Hall moved to adopt Special Ordinance 2009-1346, declaring certain personal property owned by the municipality surplus; authorizing the sale of the surplus property; and accepting the proposal from Gavin Historic Bricks of Iowa City, Iowa for brick sidewalk removal.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2009-1346

**AN ORDINANCE DECLARING PERSONAL PROPERTY OWNED BY THE MUNICIPALITY SURPLUS AND
AUTHORIZING ITS SALE**

WHEREAS, the City Council has authorized a contract to upgrade sidewalks owned by the city; and,

WHEREAS, some of the sidewalks to be removed are brick sidewalks; and,

WHEREAS, Gavin Historic Bricks of Iowa City, Iowa has given the city a proposal to pay the city to remove those bricks; and,

WHEREAS, the City Council believes it to be in the best interest of the citizens of Mattoon to accept the payment from Gavin for the removal of the sidewalk bricks.

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The following addresses with brick sidewalks have been identified as needing to be replaced; 1400 Edgar (993 sqft), 1320 Lafayette (734 sqft), 1321 Wabash (742 sqft), 1400-1408 Richmond (871 sqft), 1320 Champaign (1018 sqft), 1321 Shelby (759 sqft), 2700 Western (67 sqft), 2720 Western (434 sqft), 2900-2920 Western (2161 sqft), 2901-2921 Western (2218 sqft) and the bricks are hereby declared surplus to the needs of the City of Mattoon.

Section 2. The Mayor and City Clerk are hereby authorized to administratively sell the bricks to Gavin Historic Bricks under the terms of the attached letter without further formal consideration or approval by the City Council.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner Hall, adopted this 7th day of July, 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
Commissioner Hall, Commissioner Rankin,
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 7th day of July, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 8, 2009.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Rankin moved to approve Council Decision Request 2009-986, creating a Regular Seasonal Employee position.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Council Decision Request 2009-987, approving the bid documents and specifications and authorizing the solicitation of competitive bids for the skate park equipment was not considered.

Commissioner Ervin seconded by Commissioner Hall moved to approve Council Decision Request 2009-988, rejecting the 2009 Motor Fuel Tax Street Maintenance bids for the Oil and Chip program.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Gover seconded by Commissioner Hall moved to approve Council Decision Request 2009-989, approving the proposed Fiscal Year 2009/2010 Budget revisions.

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to recess to closed session at 7:02 p.m. pursuant to the Illinois Open Meetings Act the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)); and the purchase or lease of real property (5 ILCS 120(2)(c)(5)).

Mayor called for comments. No additional comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Council reconvened at 9:10 p.m.

Commissioner Gover seconded by Commissioner Ervin moved to adjourned at 9:10 p.m.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

/s/ Susan J. O'Brien
City Clerk